

**United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

OGD EQUIPMENT CO.,

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Plaintiff,

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V.

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**ACTION NO. 4:17-CV-898
JUDGE MAZZANT/JUDGE JOHNSON**

**OVERHEAD DOOR CORPORATION
and OVERHEAD DOOR COMPANY OF
LUBBOCK, INC.,**

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Defendants.

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**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On October 7, 2019, the Magistrate Judge entered proposed findings of fact and recommendations (Dkt. #170) that Plaintiff OGD Equipment Co.’s (“OGD”) Request for Rule 56(d) Relief (Dkt. #123) be granted.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Accordingly, OGD's Request for Rule 56(d) Relief (Dkt. #123) is hereby **GRANTED**.

IT IS SO ORDERED.

SIGNED this 28th day of October, 2019.

Amos Mazzant
AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE